

### **REMARKS**

This Application has been carefully reviewed in light of the Office Action mailed January 30, 2008. Claims 1-18, 20-22 and 24-28 were pending in the Application. In the Office Action, Claims 1-18, 20-22 and 24-28 were rejected. Applicant respectfully requests reconsideration and favorable action in this case.

In the Office Action, the following actions were taken or matters were raised:

### **DOUBLE PATENTING**

The Examiner rejected Claim 1 under the judicially created doctrine of obviousness-type double patenting over Claim 1 of U.S. Patent Application No. 10/808,015 (hereinafter "the 10/808,015 application"). Applicant respectfully traverses this rejection. Applicant respectfully reminds the Examiner that for an obviousness-type double patenting rejecting, the disclosure of the co-pending application may not be used as prior art against the claims of the instant application. See M.P.E.P. § 804(II)(B)(1). However, given that the above-referenced double patenting rejection is provisional, Applicant respectfully submits that upon the allowance/issuance of either the instant Application or the 10/808,015 Application, Applicant will address any non-provisional double patenting rejection, if any, at that time.

### **SECTION 103 REJECTIONS**

Claims 1, 3, 5, 7, 11-13, 17, 22, 27 and 28 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,202,211 issued to Williams, Jr. (hereinafter "*Williams, Jr.*") in view of U.S. Patent Publication No. 2003/0048757 issued to Accarie et al. (hereinafter "*Accarie*") in view of U.S. Patent Publication No. 2004/004797 issued to Salmonsén (hereinafter "*Salmonsén*"). Claims 2, 4, 6, 8, 14-16, 18 and 24-25 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Williams, Jr.* in view of *Accarie* in view of *Salmonsén* in view of U.S. Patent Publication No. 2002/0056118 issued to Hunter et al. (hereinafter "*Hunter*"). Claims 9, 10, 20, 21 and 26 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Williams, Jr.* in view of *Accarie* in view of *Salmonsén* in view of U.S. Patent Publication No. 2004/0019908 issued to Williams et al. (hereinafter "*Chris Williams*"). Claims 2, 16 and 24 have been canceled without prejudice or disclaimer, thereby rendering the rejection

of Claims 2, 16 and 24 moot. Applicant respectfully traverses these rejections for the remaining rejected claims.

Of the rejected claims, Claims 1, 13, 22 and 27 are independent. Applicant respectfully submits that the references, even if combined, fail to disclose, teach or suggest the limitations recited by Claims 1, 13 and 22 and 27. For example, Claim 1 recites “a sink component disposed remote from the source component and adapted to control presentation of A/V program data received from the source component on the presentation device, the sink component adapted to transmit a command to the source component to control streaming of an A/V menu interface of the source component for display on the presentation device.” In the Office Action, the Examiner appears to rely on the server 20 of *Williams, Jr.* as corresponding to the “source component” recited by Claim 1 (Office Action, page 6). Further, the Examiner appears to consider the set top box 22 of *Williams, Jr.* as corresponding to the “sink component” recited by Claim 1 (Office Action, page 6). The Examiner appears to assert that *Williams, Jr.* teaches that the set top box 22 of *Williams, Jr.* enables a user to control presentation of A/V data from the source component (Office action, page 6). Applicant respectfully disagrees. The portion of *Williams, Jr.* relied on by the Examiner recites:

The set top box 22 also has a coaxial cable input 59 for receiving signals from a cable TV converter box 51, which receives standard cable TV signals as input and outputs a tuned TV signal to the set top box 22 on channel 3 or 4. If the appropriate mode is selected, the set top box 22 provides the tuned TV signal to TV 23, such that a user can view standard television programming on the TV 23. In the illustrated embodiment, the channel setting for the cable box 51 is controlled by the set-top box 22 using IR link 46. The cable box 51 may also be controlled by a handheld IR, RF or other similar remote control device, which may be the same device used to control the set top box 22.

(*Williams, Jr.*, column 6, lines 43-53). The above-referenced portion of *Williams, Jr.* appears to be directed toward controlling a channel setting for the cable box 51 of *Williams, Jr.* However, the cable box 51 of *Williams, Jr.* is neither located in nor forms part of the server 20 of *Williams, Jr.*, which the Examiner appears to rely on to correspond to the “source component” recited by Claim 1. Additionally, neither *Accarie* nor *Salmonsens* appears to remedy at least this deficiency of *Williams, Jr.*

Moreover, the Examiner appears to assert that the set top box 22 of *Williams, Jr.* controls the display of an interface of the source component on a presentation device (Office Action, page 6). Applicant respectfully disagrees. As discussed above, the Examiner appears to consider the server 20 of *Williams, Jr.* as corresponding to the "source component" recited by Claim 1, and the Examiner appears to consider the TV of *Williams, Jr.* as corresponding to the "presentation device" recited by Claim 1 (Office Action, page 6). *Williams, Jr.* does not appear to disclose or even suggest that the IR or remote control device of *Williams, Jr.* is used to control or enable selection of any interface, much less a menu interface, of either the server 20 of *Williams, Jr.* Therefore, neither the portion relied on by the Examiner nor any other portion of *Williams, Jr.* appears to disclose or even suggest the above-referenced limitation of Claim 1. Additionally, neither *Accarie* nor *Salmonsens* appears to remedy at least this deficiency of *Williams, Jr.*

The Examiner appears to acknowledge that neither *Williams, Jr.* nor *Accarie* teach the streaming of an A/V menu interface (Office Action, page 6). However, the Examiner appears to assert that *Salmonsens* remedies this deficiency (Office Action, pages 6 and 7). Applicant respectfully disagrees. *Salmonsens* appears to disclose, and the Examiner appears to rely on, a transcoder 530 and a virtual content renderer 540 of *Salmonsens* such that the transcoder 530 of *Salmonsens* converts MPEG into video object block (VOB) files (*Salmonsens*, paragraph 0105). However, the transcoder 530 and virtual content renderer 540 of *Salmonsens* appear to reside on the server 500 of *Salmonsens* where the content appears to also reside (*Salmonsens*, figure 5). In contrast, Claim 1 recites "a sink component disposed remote from the source component" (emphasis added). Thus, even if combined, the cited combination fails to disclose the limitations recited by Claim 1.

Further, Claim 1 recites that "the sink component [is] configured to decode the A/V program data. In the Office Action, the Examiner appears to consider the above-referenced limitation obvious in view of *Williams, Jr.*, *Accarie*, *Salmonsens* and *Hunter* (Office Action, page 14). Applicant respectfully disagrees. *Williams, Jr.* appears to disclose a cable box 51 that receives "Cable In" content such that the cable box 51 appears to decode any cable content received by the cable box (*Williams, Jr.*, figure 4). Further, *Williams, Jr.* appears to disclose that add-in cards 45 within the server 20 of *Williams, Jr.* that include video controllers and frame buffers (*Williams, Jr.*, column 5, lines 46-62, figure 4). Thus, any decoding of content in

*Williams, Jr.* appears to be performed prior to the content being delivered to the set top box 22 of *Williams, Jr.* Therefore, not only is there no reason to modify the set top box 22 of *Williams, Jr.* as suggested by the Examiner, but *Williams, Jr.* appears to teach away from such modification as the decoding functions in *Williams, Jr.* are clearly performed elsewhere.

Therefore, for at least these reasons, Applicant respectfully submits that Claim 1 is patentable over the cited references.

Independent Claim 13 recites "controlling, via a sink component, presentation of A/V program data received from a remote source component on a presentation device, the sink component configured to decode the A/V program data received from the source component" and "controlling, via a command issued by the sink component to the source component, streaming of an A/V menu interface of the source component for presentation on the presentation device" (emphasis added). Independent Claim 22 recites "means for controlling, via a sink component, presentation of A/V program data received from a remote source component on a presentation device," "means for decoding, via the sink component, the A/V program data received from the source component" and "means for controlling, via a command issued by the sink component to the source component, streaming of an A/V menu interface from the source component for presentation on the presentation device." (emphasis added). Independent Claim 27 recites "decoding, via the sink component, the A/V program data received from the source component" (emphasis added). At least for the reasons discussed above in connection with independent Claim 1, Applicant respectfully submits that Claims 13, 22 and 27 are also patentable over the cited references.


Claims 3-12, 14, 15, 17, 18, 20, 21, 25, 26 and 28 that depend respectively from independent Claims 1, 13, 22 and 27 are also patentable over the cited references at least because they incorporate the limitations of respective Claims 1, 13, 22 and 27 and also add additional elements that further distinguish the cited references.

**CONCLUSION**

Applicant has made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully request reconsideration and full allowance of all pending claims.

No fee is believed due with this Response. If, however, Applicant has overlooked the need for any fee due with this Response, the Commissioner is hereby authorized to charge any fees or credit any overpayment associated with this Response to Deposit Account No. 08-2025 of Hewlett-Packard Company.

Respectfully submitted,

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